



IFW

Docket No.: SONYJP 3.3-365
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ogiso et al.

Group Art Unit: 2685

Application No.: 10/550,234

Confirmation No. 1868

Filed: September 22, 2005

Examiner: Not Yet Assigned

For: WIRELESS COMMUNICATION SYSTEM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Dear Sir:

Enclosed please find the International Preliminary Report on Patentability.

In the event there are any fees due and owing in connection with this matter, please charge same to our Deposit Account No. 12--1095.

Dated: July 7, 2006

Respectfully submitted,

By 

Robert B. Cohen

Registration No.: 32,768

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Attorney for Applicant

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference JSONY-545PCT	FOR FURTHER ACTION	See item 4 below
International application No. PCT/JP2004/002898	International filing date (<i>day/month/year</i>) 05 March 2004 (05.03.2004)	Priority date (<i>day/month/year</i>) 26 March 2003 (26.03.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant SONY CORPORATION		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).																
2.	This REPORT consists of a total of 4 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 15%;"><input checked="" type="checkbox"/> Box No. I</td> <td>Basis of the report</td> </tr> <tr> <td><input type="checkbox"/> Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/> Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/> Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/> Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/> Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/> Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/> Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/> Box No. I	Basis of the report	<input type="checkbox"/> Box No. II	Priority	<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/> Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/> Box No. VI	Certain documents cited	<input type="checkbox"/> Box No. VII	Certain defects in the international application	<input type="checkbox"/> Box No. VIII	Certain observations on the international application
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<input type="checkbox"/> Box No. VIII	Certain observations on the international application																
4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 740 14 35	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Date of issuance of this report 13 February 2006 (13.02.2006)</td> </tr> <tr> <td style="padding: 5px;">Authorized officer Masashi Honda</td> </tr> <tr> <td style="padding: 5px;">Telephone No. +41 22 338 70 10</td> </tr> </table>	Date of issuance of this report 13 February 2006 (13.02.2006)	Authorized officer Masashi Honda	Telephone No. +41 22 338 70 10
Date of issuance of this report 13 February 2006 (13.02.2006)				
Authorized officer Masashi Honda				
Telephone No. +41 22 338 70 10				

PATENT COOPERATION TREATY

Translation

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

JSONY-545PCT

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2004/002898

International filing date (day/month/year)

05.03.2004

Priority date (day/month/year)

26.03.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant

SONY CORPORATION

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/002898

Box No. 1

Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2004/002898

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>1-15</u>	YES
	Claims	_____	NO
Inventive step (IS)	Claims	<u>5-9, 11, 13, 15</u>	YES
	Claims	<u>1-4, 10, 12, 14</u>	NO
Industrial applicability (IA)	Claims	<u>1-15</u>	YES
	Claims	_____	NO
2. Citations and explanations:			
<p>Document 1: JP, 8-181702, (NEC Corporation), 12 July, 1996 (12.07.96)</p> <p>Document 2: JP, 2002-198974, A (Matsushita Electric Industrial Co., Ltd.), 12 July, 2002 (12.07.02)</p> <p>The subject matters of claims 1-4, 10, 12, and 14 do not involve an inventive step, according to documents 1 and 2 cited in the ISR. In document 1, a part that detects a data manager, which is shown by the MAC header, is described. However, the application of the means described in document 2, to calculate the transmission stop period from the analysis of the MAC frame from the frame manager of the MAC frame shown by the physical layer header is described in document 2, as a means of detecting a data manager, as in document 1, is easy for a person skilled in the art.</p> <p>The subject matters of claims 5-9, 11, 13, and 15 are not described in any of the documents cited in the ISR, nor are they obvious to a person skilled in the art.</p>			